

REMARKS

In the above-identified office action, claims 1-6, 8, 9, 11 and 23-31 were pending and rejected by the Examiner. Claims 1, 3, 9, 23, 25 and 27-31 have been amended. Claim 24 has been cancelled. Claims 7, 10, 12-22, and 32-37 were cancelled in previous responses. Thus, claims 1-6, 8, 9, 11, 23 and 25-31 remain pending and presented for reconsideration. No new matter has been introduced. Reconsideration of the application is respectfully requested.

CLAIM REJECTIONS UNDER 35 U.S.C. § 101

In “Claim Rejections – 35 USC § 101” on pages 2-4 of the above-identified Office Action, claims 27-31 were rejected under 35 USC § 101 for being directed to non-statutory subject matter. In particular, the Examiner stated that these claims could be construed as directed to propagated signals.

Applicants have amended claim 27 to recite “a tangible, machine accessible storage medium”. The Examiner will find support for “a tangible, machine accessible storage medium” in Applicant’s specification, paragraph [0049]. Applicants believe amended claim 27 is directed to statutory subject matter and thereby patentable under 35 USC § 101. Dependent claims 28-31 depend from claim 27, incorporating its recitations, and Applicants believe claims 28-31 are thereby also patentable under 35 USC § 101. Reconsideration of claims 27-31 in the light of amendments is respectfully requested.

CLAIM REJECTIONS UNDER 35 U.S.C. § 112

In “Claim Rejections – 35 USC § 112” on page 4 of the above-identified Office Action, claim 3 was rejected under 35 USC § 112, 2nd paragraph as lacking sufficient antecedent basis for “the UPnP Simple Service Discovery Protocol (SSDP)”.

In “Claim Rejections – 35 USC § 112” on page 4 of the above-identified Office Action, claim 25 was rejected under 35 USC § 112, 2nd paragraph as lacking sufficient antecedent basis for “the UPnP Security Protocol”.

Applicants have amended claims 3 and 25 to recite “a UPnP Simple Service Discovery Protocol (SSDP)” and “a UPnP Security Protocol”. Acceptance of amended claims 3 and 25 under 35 USC § 112, 2nd paragraph is respectfully requested.

CLAIM REJECTIONS UNDER 35 U.S.C. § 103

1. In “Claim Rejections – 35 USC § 103” item 6 on pages 5-10 of the above-identified office action, claims 1-2, 9, 11, 23-24, 27-28 and 31 were rejected as being unpatentable over U.S. Patent Application Publication No. 2002/0147019 (hereinafter Kadyk), in view of U.S. Patent Application Publication No. 2002/0035699 (hereinafter Crosbie) under 35 U.S.C. § 103(a).

Claim 24 has been canceled which renders its rejection moot.

Notwithstanding that Applicants respectfully disagree with the above reading by the Examiner, in order to further clarify the claimed subject matter, independent claims 1, 23 and 27 have been amended.

In particular, claim 1 has been amended to recite in pertinent part:

“...monitoring, by the intermediary gateway, the internal network to detect an approval or disapproval acknowledgement from the first device for the secure session establishment request; and

configuring, by the intermediary gateway, a first filter rule of the intermediary gateway to allow communication between the first and second devices through the intermediary gateway, if an approval authentication acknowledgement is detected by the intermediary gateway...” (Emphasis added).

The Examiner cited Kadyk as allegedly disclosing the recitations of previously amended claim 1, with the exception of the determining and responding. Kadyk essentially teaches a proxy server that sets up tunneling between a client and a server, in which only the client and the server are able to decrypt the communications between client and server. The proxy of Kadyk cannot monitor to detect an approval or disapproval acknowledgement by the server for the establishment of a secure session with the client. Kadyk teaches that all communication between the client and the server is encrypted and not decrypted by the proxy:

“In tunneling, the proxy receives an encrypted message from the client that is addressed to a server. Only the server and client are able to decrypt the message.”

(Kadyk, Paragraph [0012])

The proxy “acts as a transparent byte forwarder...Only necessary address information for routing the data is unencrypted and may be examined, by the proxy.” (Kadyk, Paragraph [0016])

“The insecure client-proxy connection does not perform any encryption or decryption...” (Kadyk, Paragraph [0018])

In paragraph [0056], Kadyk teaches that the authentication protocols specifically, which are exchanged between the client and server, are encapsulated in an insecure client-proxy connection and must be encrypted according to a security protocol known only to the client and server (and not to the proxy), such as the public/private key pairs described in paragraph [0005], in order to be secure.

The Examiner cited Crosbie as teaching, among other recitations, the determining of a correspondence to a previous secure communication session, as recited in original claim 1. However, Crosbie does not cure the deficiencies of Kadyk discussed above. Thus, Applicants respectfully submit that Kadyk and Crosbie fail to teach or suggest each and every element of amended claim 1 and therefore fail to establish a *prima facie* case of obviousness for amended claim 1. Applicants respectfully submit that claim 1 is patentable over Kadyk and Crosbie, singly or in combination, under 35 U.S.C. § 103(a).

Independent amended claims 23 and 27 recite in general similar subject matter to amended claim 1. Claims 2-6, 9, 11, and 28-31 depend from claims 1 or 27 respectively, incorporating their recitations. Therefore, for at least the above stated reasons, claims 2-6, 9, 11, and 28-31 are patentable over Kadyk and Crosbie, singly or in combination, under 35 U.S.C. § 103(a).

On page 8 of the above identified office action, the Examiner cited Moyer as allegedly disclosing “determining a presence advertisement for the first device has been received before forwarding the secure session establishment request to the first device” recited in original claims 2 and 28. Applicants will therefore assume that the examiner intended rejection of claims 2 and 28 to be further in view of U.S. Patent Application Publication No. 2002/0103898 (hereinafter Moyer) under 35 U.S.C. § 103(a).

Claims 2 and 28 depend from amended claims 1 and 27, respectively, incorporating their recitations. Moyer also fails to cure the deficiencies of Kadyk and Crosbie as discussed above. Thus, Applicants respectfully submit that the combination of Kadyk, Crosbie and Moyer fails to establish a *prima facie* case of obviousness, singly or in combination for dependent claims 2 and 28 under 35 U.S.C. § 103(a).

2. In “Claim Rejections – 35 USC § 103” item 7 on page 11 of the above-identified office action, claim 3 was rejected as being unpatentable over Kadyk and Crosbie, and further in view of U.S. Patent Application Publication No. 2002/0103898 (hereinafter Moyer) under 35 U.S.C. § 103(a).

Claim 3 depends from amended claim 1, incorporating its recitations. The Examiner cited Moyer as disclosing “wherein the presence advertisement is delivered in accordance with the UPnP Simple Service Discovery Protocol (SSDP)” in original claim 3. However, Moyer fails to cure the deficiency of Kadyk and Crosbie with regard to amended claim 1. Therefore, due to at least the reasons discussed above in section 1, claim 3 is patentable over Kadyk, Crosbie and Moyer under 35 U.S.C. § 103(a).

3. In “Claim Rejections – 35 USC § 103” item 8 on pages 11-14 of the above-identified office action, claims 4-6 and 29-30 were rejected as being unpatentable over Kadyk and Crosbie, further in view of U.S. Patent Application Publication No. 2003/0217136 (hereinafter Cho) under 35 U.S.C. § 103(a).

Claims 4-6 and 29-30 depend from amended claim 1 or claim 27, incorporating their recitations. The Examiner cited Cho as disclosing various recitations in original claims 4-6 and previously presented claims 29-30. However, Cho fails to cure the deficiency of Kadyk and Crosbie with regard to amended claims 1 and 27. Therefore, due to at least the reasons discussed above in section 1, claims 4-6 and 29-30 are patentable over Kadyk, Crosbie and Cho under 35 U.S.C. § 103(a).

4. In “Claim Rejections – 35 USC § 103” item 9 on pages 14-16 of the above-identified office action, claims 25-26 were rejected as being unpatentable over Kadyk and Crosbie, further

in view of Cho and the article “UPnP Security Ceremonies Design document for UPnP Device Architecture 1.0” (hereinafter Ellison), under 35 U.S.C. § 103(a).

Claims 25-26 depend from amended claim 23, incorporating its recitations. The Examiner cited Cho and Ellison as disclosing various recitations in original claims 25-26. However, Cho and Ellison singly or in combination fail to cure the deficiency of Kadyk and Crosbie with regard to amended claim 23. Therefore, due to at least the reasons discussed above in section 1, claims 25-26 are patentable over Kadyk, Crosbie, Cho and Ellison under 35 U.S.C. § 103(a).

5. In “Claim Rejections – 35 USC § 103” item 10 on page 16 of the above-identified office action, claim 8 was rejected as being unpatentable over Kadyk and Crosbie, and further in view of U.S. Patent Application Publication No. 2005/0111382 (hereinafter Le) under 35 U.S.C. § 103(a).

Claim 8 depends from amended claim 1, incorporating its recitations. The Examiner cited Le as disclosing “communication within the internal network is accord with an IPv6 compatible Internet protocol” in original claim 8. However, Le fails to cure the deficiency of Kadyk and Crosbie with regard to amended claim 1. Therefore, for at least the reasons discussed above in section 1, claim 8 is patentable over Kadyk, Crosbie and Le under 35 U.S.C. § 103(a).

CONCLUSION

In view of the foregoing, Applicant respectfully submits that all pending claims are in condition for allowance. Early issuance of the Notice of Allowance is respectfully requested.

Please charge any shortages and credit any overages to Deposit Account No. 500393.

Respectfully submitted,
SCHWABE, WILLIAMSON & WYATT, P.C.

Dated: 12/21/2009_____

/s/ Al AuYeung/
Al AuYeung
Reg. No. 35,432

Schwabe, Williamson & Wyatt, P.C.
Pacwest Center, Suites 1600-2000
1211 SW Fifth Avenue
Portland, Oregon 97204
Telephone: 503-222-9981